

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BARRY C. MASSEY,

Plaintiff,

V.

PATRICK GLEBE,

## Defendants.

CASE NO. C13-5507BHS

## ORDER ADOPTING REPORT AND RECOMMENDATION

10 The Court having reviewed the Report and Recommendation (“R&R”) of the Hon.  
11 J. Richard Creatura (Dkt. 9) and the remaining record hereby finds and orders as follows:

(1) The R&R is **ADOPTED**;

13 (2) Plaintiff's request to dismiss this matter without prejudice (Dkt. 8) is

14 | GRANTED; and

(3) The petition is **DISMISSED** without prejudice.

Dated this 17th day September, 2014.

  
BENJAMIN H. SETTLE  
United States District Judge